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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTER PRODUCTS
LIABILITY LITIGATION,

Case No.2:15-MD-02641-DGC

**AMENDED SECOND AMENDED
MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

Plaintiff named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). Plaintiff further shows the Court as follows:

1. Plaintiff/Deceased Party:

Joy Denton

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

NONE

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

NONE

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Iowa

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at time of injury:

Iowa

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Iowa

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court- Southern District of Iowa

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (check applicable Inferior Vena Cava Filter(s)):

☐ Recovery® Vena Cava Filter

☒ G2® Vena Cava Filter

☐ G2® Express Vena Cava Filter

☐ G2® X Vena Cava Filter

☐ Eclipse® Vena Cava Filter

☐ Meridian® Vena Cava Filter

☐ Denali® Vena Cava Filter

☐ Other:

11. Date of Implantation as to each product:

December 3, 2008

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability-Manufacturing Defect

☒ Count II: Strict Products Liability- Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability- Design Defect

☒ Count IV: Negligence-Design

☒ Count V: Negligence- Manufacture

☒ Count VI: Negligence- Failure to Recall/Retrofit

☒ Count VII: Negligence- Failure to Warn

☒ Count VIII: Negligence Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

☒ Count XIII: Fraudulent Concealment

☒ Count XIV: Violations of Applicable South Carolina (insert State) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

☐ Count XV: Loss of Consortium

☐ Count XVI: Wrongful Death

☐ Count XVII: Survival

☒ Punitive Damages

☐ Other(s)_____ (please state the facts supporting this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

☒ Yes

☐ No

RESPECTFULLY SUBMITTED this 14th day of November, 2017.

NELSON BUMGARDNER, P.C

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I hereby certify that on this 14th day of November, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of the Notice of Electronic Filing.

/s/Timothy E. Grochocinski